

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

TROY LINVIL GOODMAN,

Plaintiff,

v.

Civil Action No. 2:17-cv-02266

SANDRA MAY, Employee for  
Wexford Health Sources, Inc., and  
DAVID BALLARD, Warden, and  
JIM RUBENSTEIN, Commissioner,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Dwane L. Tinsley, United States Magistrate Judge, who submitted his Proposed Findings and Recommendation ("PF&R") pursuant to 28 U.S.C. § 636(b)(1)(B) (2016) on July 24, 2018. The magistrate judge recommends that the court grant the Motion to Dismiss filed by Sandra May, defendant, deny the Motion for Injunctive Relief filed by Troy Linvil Goodman, plaintiff, and dismiss this action with prejudice. PF&R 11.

The plaintiff filed objections to the magistrate judge's proposed disposition on August 9, 2018. Plaintiff raises numerous meritless objections, most notably, that the doctrine of *res judicata* was not applicable to his claims

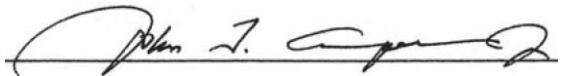
because the state court ruling on those same claims was invalid. See Pl.'s Obj. to PF&R 3-5, 10-13. This objection is adequately addressed and correctly resolved by the magistrate judge in his PF&R, see PF&R 3-8 ("The only avenue of appellate review the plaintiff would have had from the [Supreme Court of Appeals of West Virginia] to a federal court would have been to apply for a writ of certiorari in the United States Supreme Court."), as are all of the remaining objections.

It is, accordingly, ORDERED as follows:

1. That the findings in the magistrate judge's PF&R be, and hereby are, adopted and incorporated in full;
2. That defendant's Motion to Dismiss be, and hereby is, granted;
3. That plaintiff's Motion for Injunctive Relief be, and hereby is, denied; and
4. This action be, and hereby is, dismissed, with prejudice and removed from the docket of the court.

The Clerk is directed to forward copies of this memorandum opinion and order to all counsel of record, any unrepresented parties, and the United States Magistrate Judge.

Entered: August 21, 2018



John T. Copenhaver, Jr.  
United States District Judge